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Remarks

Claims 1-4, 6-13, 15, 18-20, and 22-27 have been rejected under 35 U.S.C. §103 as being unpatentable over the Lewis et al. document in view of the Shavlik et al. "Intelligent Agents" document, and Claims 5, 14, and 21 have been rejected as being unpatentable over the above two documents in light of the Pedersen document. Claim 6 has been rejected as being unpatentable over Lewis et al. in view of Shavlik et al. and further in view of Dumais et al., USPN 6,192,360. Claim 17 has been rejected as being unpatentable over Lewis et al. in view of Shavlik et al. and further in view of Caid et al., USPN 5,619,709.

Claim 1 has been broadened to remove the limitation that a window must be created around each and every word. Claims 1-27 remain pending.

There is insufficient evidence of record that Lewis et al. and Pedersen et al. are prior art. No publication date appears on either document. At the end of the paper Pedersen et al. mentions a preliminary version dated in 2000, but the preliminary version has not been introduced in the record. The Form PTO-892 accompanying the Office Action lists publications and dates for both documents but since neither the listed dates or publication names appear on the documents themselves (which otherwise is usually the case for published articles), their status as prior art has not been authenticated.

Even if the relied-upon documents are prior art, a point Applicant does not concede but will assume *arguendo* for purposes of substantive examination, they do not teach what the rejections allege they do. Specifically, it is alleged that Lewis et al., "independence assumption", equation [3] teaches "generating a statistical evaluation of a window wherein the results are not a function of the order of appearance of the words within each window", also relying on equation [6] and section 4.2, but this does not appear to be the case. Consider first that the "independent assumption" mentioned in Lewis et al. is not further explained,

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other than to cite another publication not in evidence. Guessing that it means "independent of the order of words" thus is not justified. Then consider that the equations being relied on actually involve probabilities *that are functions of "w", an observed pattern of words*, see text just below equation [1]. For this technical error of fact regarding the teachings of the primary reference, the rejections fall.

Next consider the allegation that Shavlik et al., page 3, lines 3-10 under the "Scoring Arbitrarily" heading, teaches sliding a fixed window across the words in a page. Indeed it does, but as taught in the ensuing lines 11-15, the results of the calculations on each window are not combined, but rather the one having the "best" score, uncombined with any other window, is returned. As a consequence, the discussion in the Office Action that Shavlik et al. uses a "bag of words" on page 3, continuing to line 5 on page 4 and Figure 2 is irrelevant because this portion of Shavlik et al. simply appears to teach how a score is derived for each sliding window mentioned above, but it does not supply the shortfall that, however the window scores are calculated, they are not subsequently combined as required by Claim 1. It is perplexing that on this point, the examiner cited the correct part of Shavlik et al., namely, Figure 1, but evidently neglected to notice that in the description of Figure 1 Shavlik et al. explicitly states that "the score of a page [is] the highest score the ScorePage network produces as it is slid across the page." For this technical error of fact regarding the teachings of the secondary reference, the rejections fall.

The proffered suggestion to combine references, being predicated on errors of fact, likewise falls, further rendering the claims patentable.

"Official Notice" has been taken that "it is well known in the art to utilize each word in a document". Should this rejection be persisted in, a prior art showing of support is hereby seasonably requested under MPEP §2144.03. Such a showing of support must show not just that "each word" used in the context

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claimed is well known, but also that it is well known to combine this feature with the other elements in the particular way being claimed. Absent such a showing, the rejection falls.

The allegation that Shavlik et al. teaches the limitation of Claim 3 that a document id *and window position* is incorrect. No window "position" appears to be recorded in the nested "bags of words" in the relied-upon sections of Shavlik et al. Note that the URL of a Web page is an address on a network, not a position of a window in a document. This rejection falls.

The allegation that the limitation of Claim 8, although not taught in the applied references, nonetheless would have been obvious is based on a reason for which no prior art support has been adduced, as is otherwise required by MPEP §2143.01. This rejection falls.

"Official Notice" has been taken that the limitations of Claim 9 are well known. Should this rejection be persisted in, a prior art showing of support is hereby seasonably requested under MPEP §2144.03. Such a showing of support must show not just that monitoring memory is well known but that it is well known in a context that bears relevance to the other elements claimed. Absent such a showing, the rejection falls.

The allegation that Lewis et al. teaches both a conditional probability of a word appearing in a document and a statistical probability that a word appears in a document as recited in Claims 10 and 11 is incorrect. Lewis et al. teaches one or the other but not both.

The allegation that because Lewis et al. teaches dampening a ratio, it teaches normalizing a statistical evaluation, is wrong. Dampening and normalizing are two separate mathematical concepts. The rejection falls.

The allegation that Pedersen, section 2.1, third paragraph teaches the limitation of Claim 20 that a window is created around a word, but that the word itself is not included in the window, is incorrect. No

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window is created "around" any word in the cited section. Instead, a left window is created and a right window is created, but these windows are separate from each other. The rejection falls.

The fact that Applicant has focussed its comments distinguishing the present claims from the applied references and countering certain rejections must not be construed as acquiescence in other portions of rejections not specifically addressed.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



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